

Examiner-Initiated Interview Summary	Application No. 09/595,096	Applicant(s) DILLER ET AL.	
	Examiner Marjorie A. Moran	Art Unit 1631	

All Participants:

Status of Application: _____

(1) Marjorie A. Moran.

(3) _____.

(2) Mary Louise Gloeni.

(4) _____.

Date of Interview: 2 March 2004

Time: _____

Type of Interview:

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☐ No
 If Yes, provide a brief description: _____

Part I.

Rejection(s) discussed:

All pending

Claims discussed:

All pending

Prior art documents discussed:

None

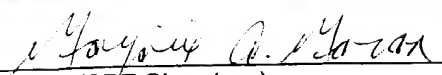
Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

- ☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.


 (Examiner/SPE Signature)

 (Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: The examiner informed the attorney in a message that the after-final arguments and amendments filed 2/17/04 had been considered but did not render the claims allowable for the following reasons: the proposed amendment will not be entered as it introduces a new issue requiring further search and consideration, particularly with regard to enablement. Further, the proposed amendment would not render the claims statutory as the claims still do not recite a concrete, tangible and useful result. The examiner stated that, based on the arguments presented in the after-final response, it appeared that applicant was confused about or by the non-statutory rejections. Specifically, computer programs, per se are not statutory subject matter, as clearly set forth in MPEP 2106. The examiner stated that she would wait at least 24 hours before mailing the advisory action and this interview summary to give the attorney an opportunity to call back and discuss the issues raised in the after-final response as she felt that further oral communication would be helpful in advancing prosecution. The attorney did not respond to the examiner's message. .